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PATENT AND TRADEMARK ATTORNEYS

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FAX COVER SHEET

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NO. OF PAGES: COVER SHEET PLUS 9 PAGE(S)TO: Examiner Zandra V. Smith, Art Unit 2877FAX TELEPHONE NO.: 703-872-9306FROM: Charles P. Schmal

DATE: Thursday, February 26, 2004

CONFIRMATION OF RECEIPT REQUESTED IF CHECKED.☐☐

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Sharp Model FO-3200 Fax uses fastest of CCITT Group 3 or 2 or Sharp EHS mode.

Re: Request For A Reference To Be Indicated As Considered By The Examiner for
Joel S. Douglas, S/N 09/828,874Please find enclosed a copy of the Request For A Reference To Be Indicated As Considered By The Examiner.
If you have any questions, please do not hesitate to contact me via telephone at (317) 713-4954.**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper for

Serial No. 09/828,874

is being facsimile transmitted to the Patent and Trademark Office

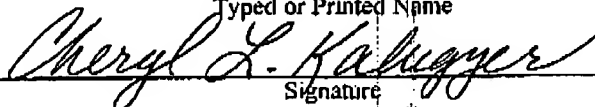
Fax Number (703) 872-9306 to

Examiner Zandra V. Smith, Art Unit 2877 on

February 26, 2004

Cheryl L. Kalugyer

Typed or Printed Name



Signature

February 26, 2004

Date of Signature

264050

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007404-000300.CPS,clk.264044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re application of : Attn: ISSUE BRANCH
Joel S. Douglas :
Serial No. 09/828,874 : Group Art Unit: 2877
Filed April 10, 2001 : Examiner: Zandra V. Smith
OPTICS ALIGNMENT AND : February 26, 2004
CALIBRATION SYSTEM

REQUEST FOR REFERENCE TO BE INDICATED
AS CONSIDERED BY THE EXAMINER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

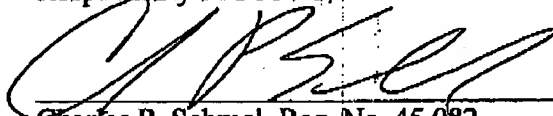
Sir:

On October 17, 2003, an Information Disclosure Statement (IDS) with a two-page SB/08A form was submitted to the United States Patent and Trademark Office (USPTO). In the December 23, 2003 Notice of Allowance, a signed copy of the October 17, 2003 IDS' SB/08A form was mailed with all of the references initialed on the first page, but we did not receive the second page. The Applicants believe that this omission of the second page was accidental and kindly request that an initialed copy of the second page be provided.

For the Examiner's convenience, a copy of the October 17, 2003 IDS (including page 2 of form SB/08A), its transmittal form, and its date-stamped postcard have been enclosed with this request. So as to reduce the amount of paperwork in the USPTO's file, the references cited in the IDS have not been again enclosed with this request. However, if for some reason the Examiner does not have copies of the cited references, the Examiner is invited to contact the undersigned representative by telephone so that the cited references can be promptly supplied.

If after reviewing this request the Examiner has any questions or issues regarding this request, the Examiner is invited to contact the applicants' undersigned representative by telephone.

Respectfully Submitted,



Charles P. Schmal, Reg. No. 45,082
Woodard, Emhardt, Moriarty, McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

007404-000300.CPS.264044

Doc. No. 246040 WEMHH/SB/21 (10/03)

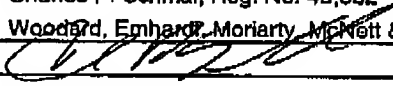
Approved for use through 07/31/2006, OMB 0851-0031

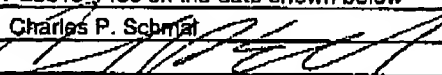
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/828,874
	Filing Date	April 10, 2001
	First Named Inventor	Joel S. Douglas
	Art Unit	2877
	Examiner Name	Zandra V. Smith
Total Number of Pages in This Submission	Attorney Docket Number	018176-381 (7404-300)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Form 1449 & Copy of Reference
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Charles P. Schmal, Reg. No. 45,082 Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	October 17, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below	
Typed or printed name	Charles P. Schmal
Signature	
Date	October 17, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

7404-300.CPS.cfk.246306

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
)
 Joel S. Douglas) Before the Examiner
) Zandra V. Smith
 Serial No. 09/828,874)
) Group Art Unit 2877
 Filed April 10, 2001)
) October 17, 2003
)
OPTICS ALIGNMENT AND
CALIBRATION SYSTEM)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on

October 17, 2003

(Date of Deposit)

Charles P. Seimel

Name of Registered Representative

Signature

October 17, 2003

Date of Signature

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of the references listed on attached form PTO-1449 and/or the additional information identified below in paragraph 3. A legible copy of each reference listed on form PTO-1449 is enclosed, except:

☒ a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. 09/206,641, filed December 7, 1998 and/or

☐ a copy of each U.S. patent and/or U.S. patent application publication is not provided because the present application has been filed or entered the national stage after June 30, 2003 and the Patent Office has waived the requirements of 37 CFR 1.98 (a)(2)(i) for submitting such documents in applications filed or nationalized after June 30, 2003.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application (other than a continued prosecution application), or

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.

- 1b. ☒ This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office
Action or Notice of Allowance, and thus:
- (1) ☐ the certification of paragraph 2 below is provided, or
- (2) ☒ a fee of \$180.00 (set forth in 37 CFR §1.17(p)) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance and prior to
payment of the issue fee, and thus:
- the certification of paragraph 2 below is provided, and**
a fee of \$_____ (set forth in 37 CFR §1.17(p)) is enclosed.

2. It is hereby certified
- a. ☐ that each item of information contained in this Information Disclosure
Statement was first cited in any communication from a foreign patent office
in a counterpart foreign application not more than three months prior to the
filing of the information disclosure statement, or
- b. ☐ that no item of information contained in this Information Disclosure
Statement was cited in a communication from a foreign patent office in a
counterpart foreign application, and, to the knowledge of the person signing
the certification after making reasonable inquiry, no item of information
contained in this Information Disclosure Statement was known to any
individual designated in § 1.56(c) more than three months prior to the filing
of the Information Disclosure Statement.
- c. ☐ A copy of a dated communication from a foreign patent office which clearly
shows the statement is being submitted within three (3) months of the date
on the communication is enclosed.

3. ☐ Consideration of the following additional information (including any copending or
abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ an English language translation submitted herewith,
 - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ an English language translation of a foreign patent office search report submitted herewith,
 - d. ☐ the concise explanation contained in the specification of the present application at page^s _____,
 - e. ☐ the concise explanation set forth in the attached English language abstract,
 - f. ☒ a copy of a related patent publication (in the English language) which was previously submitted,
 - g. ☐ the concise explanation set forth below:

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

It is believed that no additional fees are required. Should any other fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully Submitted,



Charles P. Schmal, Reg. No. 45,082
Woodard, Emhardt, Moriarty, McNett &
Henry LLP

Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

007404-000300.CPS.246306

WEMHYSB/DBA (403)

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/828,874
				Filing Date	4/10/2001
				First Named Inventor	DOUGLAS
				Group Art Unit	2877
				Examiner Name	Zandra V. Smith
Sheet	1	of	2	Attorney Docket Number	7404-300
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		4,637,403	01-20-1987	Garcia et al.	
		4,984,167	02-19-1991	Shultz et al.	
		5,053,199	10-01-1991	Keiser et al.	
		5,279,294	01-18-1994	Anderson et al.	
		5,304,468	04-19-1994	Phillips et al.	
		5,515,170	05-07-1998	Matzinger et al.	
		5,522,255	06-04-1998	Neel et al.	
		5,580,794	12-03-1998	Allen	
		6,009,632	01-04-2000	Douglas	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 909. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

WEMMH/SB08A (4/03)

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number	09/828,874	
				Filing Date	4/10/2001	
				First Named Inventor	DOUGLAS	
				Group Art Unit	2877	
				Examiner Name	Zandra V. Smith	
Sheet	2	of	2	Attorney Docket Number	7404-300	
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite ¹ No.	Foreign Patent Document Country Code- Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
		DB 692 22 523 T2	05-07-1998	Boehringer Mannheim		<input checked="" type="checkbox"/>
		EP 0 351 891 B1	01-24-1990			<input type="checkbox"/>
		EP 0 383 209 A1	08-22-1990			<input type="checkbox"/>
		WO 92/15861	09-17-1992			<input type="checkbox"/>
		WO 98/19159	05-07-1998			<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Matter No./Case No. 7404-300 Initials/Date: CPS: CLK: 10/17/03

☒ Patent () Trademark () Copyright () Application # _____ of pages
☒ Check for \$ 180.00
Serial No. 09/828,874 () # _____ sheets of drawings
Applicant Joel S. Douglas () Declaration & Power of Attorney
() Assignment & Recordation cover sheet
() Information Disclosure Statement
() Transmittal Form /PTO Form SB/21
() Fee Transmittal /PTO Form SB/17
() Amendment/ Response to Office Action
() Request for Extension of Time
☒ Form 1449 & Form 1449 () Statement of Use
() Return Receipt Postcard () Specimen(s) # _____

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